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CHAIRPERSON JAMES:

1 And I do want to thank the Attorney General
2 of Connecticut, Richard Blumenthal, who has just joined
3 us. He was elected in 1990, I've introduced the rest
4 of the panel, I have not introduced you. And before
5 becoming Attorney General he served as a member of the
6 Connecticut State Senate from 1987 to 1990 before which
7 he served in the Connecticut House of Representatives.

8 Welcome General Blumenthal and thank you
9 for accepting our invitation to appear today. And I
10 know that you as well as several of our other panelists
11 do have planes to catch and other state business to be
12 about. So I would ask the indulgence of the rest of
13 the panel to have the Attorney General go at this
14 particular time.

15 ATTY. GEN. BLUMENTHAL: Thank you very
16 much. I very much appreciate this opportunity to be
17 with you and your invitation to offer a few
18 observations based on my experience as Attorney General
19 and our experience as a state. And I am going to take
20 you at your word, not read my testimony, invite you to

1 do so, if you think it's worth your while I have 30
2 copies of it, that I just happened to have brought with
3 me. And I'd make them available to whomever might need
4 to take them.

5 CHAIRPERSON JAMES: We'll ask staff to take
6 that and distribute them.

7 ATTY. GEN. BLUMENTHAL: Thank you.

8 I really urge the Commission in its
9 recommendations to recognize the existing elements of
10 tribal sovereignty while at the same time giving what I
11 think is very important recognition to two
12 extraordinarily and profoundly important needs that we
13 have seen based on our experience in the State of
14 Connecticut. And the first is to provide a greater
15 voice for the state and local governments in the
16 vicinity in the locations where gaming takes place, and
17 where public policy is so deeply and direly affected
18 when Indian gaming is permitted and even encouraged.

19 And second, to apply basic worker
20 protections in federal and state law to the tribal

1 employers. Or require the tribes to enact laws and
2 ordinance or protections that are commensurate with the
3 federal protections.

4 We have seen in our own experience examples
5 that show the importance of both of these
6 considerations. Connecticut is a small state, and yet
7 it is host to probably the biggest casino in the world
8 at this point, certainly one of the most lucrative.
9 And there is no question that we have enjoyed
10 tremendously important benefits in our state, not the
11 least of which is that our Indian gaming operations are
12 extraordinarily generous in many respects to local
13 community causes. And they are one of the largest
14 employers if not together the largest employer of
15 20,000 workers in our state.

16 And yet the casinos and the gambling
17 operations have placed very significant burdens on
18 local communities and on the state itself. In terms of
19 traffic, environmental protection, land use, police and
20 fire services, the surrounding communities and indeed

1 the state as a whole has felt the impact of these
2 activities. And I think that while Indian gaming may
3 be largely self-regulating under the federal procedures
4 and the compact that govern them both at Foxwoods and
5 the Mohegan Sun, and while Connecticut itself has other
6 kinds of gambling the unique status of these operations
7 is extremely important to the life of our state and
8 bears some recognition by this Commission.

9 And I would urge that the Commission really
10 heed the experience of Connecticut and provide, for
11 example, for application of wage and hour protection to
12 workers who are at the casino. Enable the state to
13 provide other kinds of anti- discrimination protection.
14 And provide for worker's compensation systems that are
15 commensurate with what the federal program is.

16 The Mashantucket Pequot Tribe has recently
17 withdrawn from the worker's compensation system that
18 applies to other workers all around the State of
19 Connecticut. And while in that area and others the
20 Tribe may argue that it does provide more or less

1 similar or comparable kinds of protection. The fact is
2 that I think there's a legitimate view that it doesn't.

3 But perhaps even more important, the rights
4 by which workers can protect those guarantees are
5 severely circumscribed. Without belaboring the point
6 that Senator Prague has made to you about the process
7 itself, I think it's fair to say that it is very, very
8 narrowly circumscribed in terms of procedural basic
9 rights, due process, that workers would have in other
10 kinds of context.

11 And I think that this Commission can really
12 strike a blow for employee rights and basic due process
13 by guaranteeing that workers are assured meaningful
14 opportunities to be heard so they feel that their
15 rights against discrimination, against insufficient
16 protection, in that regard and many others, are
17 assured.

18 My testimony could expand on that point at
19 greater length, but I think the other area where it is
20 important for this Commission to recognize the burden

1 on the state from Indian gaming facilities relates to
2 those services that have to be provided to the
3 annexation process, to the Bureau of Indian Affairs
4 consideration of decisions to put land into trust. And
5 indeed, the federal recognition process itself. All of
6 which may not be directly on point to gambling as that
7 term may be defined narrowly, but nonetheless in
8 today's age when many reservations have these kinds of
9 facilities are very much relevant to your
10 consideration. And I say that having discussed it at
11 length with my colleagues around the state, other
12 Attorneys General who share many of these concerns and
13 I think would be more than happy to share them with you
14 either personally or in writing.

15 So I hope that the Commission will consider
16 recommendations, and I'd be happy to expand on them,
17 that more carefully balance Indian tribal sovereignty
18 concerns with the state's strong and legitimate
19 interest in regulating gaming and its attendant
20 burdens.

1 There is no question that that idea of
2 sovereignty is one that we've not only accepted but
3 that we support. I know what it means to challenge it.
4 And I think we also need to distinguish between
5 different tribes, perhaps, even in Connecticut,
6 different gambling operations. There are subtleties
7 here that merit your recognition as well. But I hope
8 that without being over simplistic these two
9 considerations will be considered and will be part of
10 your recommendations.

11 Thank you.

12 CHAIRPERSON JAMES: Thank you very much.